

EXHIBIT A

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X
RONALD MARKS,

Plaintiffs.

- against -

SUMMONS

Index No.:

Date Filed:

Plaintiff designates Kings as the Place
of trial.

WHOLE FOODS MARKET GROUP, INC. &
WHOLE FOODS MARKET, INC.,

The basis of venue is: Residence of
Plaintiff at 70 Clark Street in Kings

Defendants.
-----X

TO THE ABOVE NAMED DEFENDANT(S):

YOU ARE HEREBY SUMMONED and required to serve upon Plaintiff's attorneys an answer to the complaint in this action within twenty (20) days after the service of this summons, exclusive of the day of service, or within thirty (30) days after service is complete if the summons is not personally delivered to you within the State of New York. In case of your failure to answer, judgment will be taken against you by default for the relief demanded in the complaint.

LAW OFFICE OF CANER DEMIRAYAK, ESQ., P.C.

Dated: Brooklyn, New York
December 10, 2020



Caner Demirayak, Esq.
300 Cadman Plaza West
One Pierrepont Plaza, 12th Floor
Brooklyn, New York 11201
718-344-6048
caner@canerlawoffice.com

TO: *Via Secretary of State*
Whole Foods Market Group, Inc.
CT Corporation System
28 Liberty Street

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 12/28/2020

New York, NY 10005

Whole Foods Market, Inc.
550 Bowie Street
Austin, TX 78703-4644

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X
RONALD MARKS,

VERIFIED COMPLAINT

Plaintiffs.

Index No.:

- against -

Date Filed:

WHOLE FOODS MARKET GROUP, INC. &
WHOLE FOODS MARKET, INC.,

Defendants.
-----X

Plaintiff, complaining of the Defendants, through her attorneys, the LAW OFFICE OF CANER DEMIRAYAK, ESQ, P.C., respectfully alleges as follows:

1. That at all times mentioned herein, Plaintiff, Ronald Marks, was and still is a resident of Kings County, State of New York.

2. That at all times herein mentioned, Defendant WHOLE FOODS MARKET GROUP, INC., was and still is a domestic corporation duly organized and existing under and by virtue of the laws of the State of New York.

3. That at all times herein mentioned, Defendant, WHOLE FOODS MARKET GROUP, INC., was and still is a foreign corporation authorized to do business in the State of New York.

4. That at all times hereinafter mentioned, the Defendant, WHOLE FOODS MARKET GROUP, INC., maintained its principal place of business in County of New York, State of New York.

5. That at all times herein mentioned, Defendant, WHOLE FOODS MARKET GROUP, INC., was and still is a resident of the County of New York, State of New York.

6. That at all times herein mentioned, Defendant WHOLE FOODS MARKET, INC., was and still is a domestic corporation duly organized and existing under and by virtue of the laws of the State of New York.

7. That at all times herein mentioned, Defendant, WHOLE FOODS MARKET, INC., was and still is a foreign corporation authorized to do business in the State of New York.

8. That at all times hereinafter mentioned, the Defendant, WHOLE FOODS MARKET, INC., maintained its principal place of business in County of New York, State of New York.

9. That at all times herein mentioned, Defendant, WHOLE FOODS MARKET, INC., was and still is a resident of the County of New York, State of New York.

10. That on February 12, 2018, and at all times herein mentioned, a premises and supermarket/food market existed in the County of New York, City and State of New York with the address of 10 Columbus Circle, Ste Sc101, New York, New York 10019.

11. That at all times hereinafter mentioned, the Defendants owned/leased/rented the premises and appurtenances and fixtures thereto, located at 10 Columbus Circle, Ste Sc101, New York, New York 10019.

12. That at all times hereinafter mentioned, the Defendants operated the aforesaid premises.

13. That at all times hereinafter mentioned, the Defendants managed the aforesaid premises.

14. That at all times hereinafter mentioned, the Defendants controlled the aforesaid premises.

15. That at all times hereinafter mentioned, the Defendants maintained the aforesaid premises.

16. That at all times hereinafter mentioned, the Defendants repaired the aforesaid premises.

17. On February 12, 2018, plaintiff, Ronald Marks was lawfully on the aforesaid premises.

18. On February 12, 2018, plaintiff, Ronald Marks was a lawful pedestrian at the above-mentioned location.

19. On February 12, 2018, plaintiff, Ronald Marks was lawfully at the aforesaid location and he was caused to fall and sustain severe and permanent injuries.

20. On February 12, 2018, plaintiff, Ronald Marks, was struck by a heavy wooden and metal object that fell from an elevated location near checkout and was caused to fall to the ground sustaining severe and permanent injuries.

21. The above mentioned occurrence, and the results thereof, were caused by the negligence of the Defendants, and/or said Defendants' agents, servants employees and/or licensees in the ownership, operation, management, maintenance and control of the aforesaid premises.

22. The Defendants created the dangerous condition.

23. The Defendants had actual notice of the dangerous condition.

24. The Defendants had constructive notice of the dangerous condition.

25. The defendants negligently monitored the safety of its shelves and items and objects placed in an elevated location.

26. That no negligence on the part of the Plaintiff Ronald Marks contributed to the occurrence alleged herein in any manner whatsoever.

27. That by reason of the foregoing, Plaintiff Ronald Marks, was caused to sustain serious injuries and to have suffered pain, shock, mental anguish; that these injuries and the effects will be permanent; and as a result of said injuries Plaintiff has been caused to incur, and will continue to incur, expenses for medical care and attention; and, as a further result, Plaintiff was, and will continue to be, rendered unable to perform Plaintiff's normal activities and duties and has sustained a resultant loss therefrom.

28. That by reason of the foregoing, Plaintiff Ronald Marks was damaged in a sum which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

WHEREFORE, Plaintiff demands judgment against the Defendants, herein, in a sum exceeding the jurisdictional limits of all lower courts that would otherwise have jurisdiction, together with the costs and disbursements of this action.

LAW OFFICE OF CANER DEMIRAYAK, ESQ., P.C.

Dated: Brooklyn, New York
December 10, 2020


_____/s/_____
Caner Demirayak, Esq.
300 Cadman Plaza West, 12th Floor
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SUPREME COURT OF THE STATE OF NEW YORK
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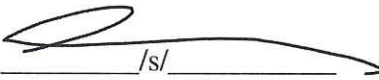
SUMMONS & VERIFIED COMPLAINT

LAW OFFICE OF CANER DEMIRAYAK, ESQ., P.C.
Attorneys for Plaintiff
Ronald Marks
300 Cadman Plaza West, One Pierrepont Plaza, 12th Floor
Brooklyn, NY 11201
718-344-6048

TO: *See* summons list.

Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of the State of New York, certified that upon information and belief and reasonable inquiry, the contents contained in the annexed documents are not frivolous.

Dated: December 10, 2020


_____/s/_____
Caner Demirayak, Esq.